

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 11, 2011 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS – 2011-0764 to 2011-0776
ORDINANCES - 2011-0862 to 2011-0879
RESOLUTION – None

2011-0763-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Sullivan

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 12, 2011 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

HEARINGS - 9:00 A.M.

1. Motion 2011-0764 – Close hearing
PUBLIC HEARING relative to the creation of REINVESTMENT ZONE NUMBER TWENTY-THREE, CITY OF HOUSTON, TEXAS (HARRISBURG ZONE) - **DISTRICTS B - JOHNSON; H - GONZALEZ and I - RODRIGUEZ**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 27

MISCELLANEOUS - NUMBERS 2 and 3

2. Motion 2011-0766

RECOMMENDATION from Director Human Resources Department for approval of payment of \$57,000.00 to **GOVERNMENT JOBS.COM (NEO GOV)** for the Neo Gov Applicant Tracking System and Interface Maintenance Agreement - General Fund

3. Motion 2011-0772

RECOMMENDATION from Director Department of Public Works & Engineering for approval of payment of FY 2012 Membership dues for the Water Research Foundation - \$252,183.58 Enterprise Fund

ACCEPT WORK - NUMBER 4

4. Motion 2011-0767

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$6,695,396.09 and acceptance of work on contract with **PYRAMID CONSTRUCTORS, LLP** for Hurricane Ike Permanent Repairs at William P. Hobby Airport and Ellington Airport, Project No. 630 - 2.7% over the original contract amount - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**

PROPERTY - NUMBERS 5 through 7

5. Motion 2011-0768

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gilbert Guzman, Land Maps and Surveys, Inc., on behalf of Homer Hinojosa, for abandonment and sale of Melwyn Street, from Fisk Street to Sharman Street, and sale of ±3,095 square feet of excess fee-owned Cavalcade Street right-of-way, in exchange for the conveyance to the City of 8.89 feet of right-of-way for the widening of Sharman Street, a full-width storm sewer easement over the subject portion of Melwyn Street, and a full-width water line easement over the subject portion of Cavalcade Street, all in the Unrecorded Sharman Subdivision, John Austin Survey, A-1, Parcels SY11-059A, SY11-059B, AY12-040, LY12-006 and KY12-041 - **DISTRICT H - GONZALEZ**

6. Motion 2011-0773

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Roksan Okan-Vick, Executive Director of Houston Parks Board, in collaboration with Harris County Flood Control District, for abandonment and sale of (1) Wheeler Street, from Deems Street to Lidstone Street; (2) Wheeler Street, from Lidstone Street to Brays Bayou; (3) Wheeler Street, from the southern boundary line of Tract 37 to Old Spanish Trail; and (4) ±58,229 square feet of fee-owned Wheeler Street, from Brays Bayou to the northern boundary line of Tract 37; (5) Lidstone Street, from the former Lidstone Street to Brays Bayou, in exchange for the conveyance to the City of a (1) a 20-foot-wide storm sewer easement; (2) ±24,148 square feet of right-of-way for the relocation of Lidstone Street; (3) four fee-owned parcels for park purposes; and (4) right-of-way for and construction of a cul-de-sac in Renshaw Street north of Old Spanish Trail, all located in the W. L. Edmundson Fifth Addition and/or the Resubdivision of a part of the W. L. Edmundson Seventh Addition, out of the Luke Moore Survey, Abstract 51, Parcels SY11-105A through SY11-105C, SY12-014 through SY12-016, AY11-250 through AY11-252, AY12-045, LY12-005, BY11-002 through BY11-005 **DISTRICT I - RODRIGUEZ**

7. Motion 2011-0769

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Daniel E. Rowsey, for abandonment and sale of a 5-foot-wide water line easement within Lot 1, Block 13, Sunset Terrace Addition, Section 12, out of the A. C. Reynolds Survey, Parcel SY12-009 - **DISTRICT C - CLUTTERBUCK**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 11

8. Motion 2011-0774

APPROVE spending authority to Address Emergency Repair of Water Line Breaks in an amount not to exceed \$512,598.12 for the Department of Public Works & Engineering, to **TIKON GROUP** - \$209,872.64, **DESERT EAGLE, LLC** - \$138,362.64, **CONGO, LLC** - \$92,852.84 and **BOND RESTORATION, INC** - \$71,510.00 - Enterprise Fund

9. Motion 2011-0775

APPROVE spending authority for Rental of Various Types of Construction Equipment through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities to Address Emergency Repair of Water Line Breaks for the Department of Public Works & Engineering, to **HERTZ EQUIPMENT RENTAL CORPORATION** in an amount not to exceed \$754,568.00 Enterprise Fund

10. Motion 2011-0770

BEVCO COMPANY, INC to furnish Rotary Lobe Sludge Pumps for Department of Public Works & Engineering - \$67,900.00 - Enterprise Fund

11. Motion 2011-0776

HOV SERVICES, INC for Mail Processing Services from the Texas Procurement Support Services' Contract through the Texas Procurement and Support Services Cooperative Purchasing Program for the Department of Public Works & Engineering - \$564,000.00 - Enterprise Fund

ORDINANCES - NUMBERS 12 through 27

12. Ordinance 2011-0862

ORDINANCE **AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Lake Houston; containing findings and other provisions relating to the foregoing subject; containing a repealer; containing a savings clause; providing for severability; providing an effective date

13. Ordinance 2011-0863

ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds in one or more series designations, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the Bonds; authorizing the defeasance, final payment, and discharge of Certain Combined Utility System First Lien Revenue Refunding Bonds, Series 2008D-3; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for Certain Escrowed Securities; authorizing Bond Insurance, Escrow Verification and Engagement of an Escrow Agent, a Co-Bond Counsel Agreement, and a Special Disclosure Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

14. Ordinance 2011-0864

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to the Joint Election to be held on November 8, 2011; providing a maximum contract amount - \$714,377.00 - General Fund

15. Ordinance 2011-0865

ORDINANCE establishing City of Houston election precincts and designating polling places for the City of Houston General Election to be held on November 8, 2011

ORDINANCES - continued

16. Ordinance 2011-0866

ORDINANCE establishing the north and south sides of the 1900-2000 block of Norfolk Avenue within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**

17. Ordinance 2011-0867

ORDINANCE establishing the north and south sides of the 1900-2000 block of Norfolk Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**

18. Ordinance 2011-0868

ORDINANCE approving and authorizing second amendment to Lease Agreement (Contract No. 55833) between **1415 NLW, LLC, as landlord**, and the City of Houston, Texas, as tenant, for space at 1415 North Loop West, Houston, Texas, for use by the Internal Affairs Division of the Houston Police Department - 5 Years with one three-year option - **DISTRICT A - STARDIG**

19. Ordinance 2011-0875

ORDINANCE approving first amendment to the Economic Development Agreement between the City of Houston, Texas, and **INTOWN HOMES, LTD.** approved by Ordinance No. 2010-716 **DISTRICTS A - STARDIG and H - GONZALEZ**

20. Ordinance 2011-0876

ORDINANCE approving and authorizing the commission of an art installation entitled "A Timeline of Jones Hall" to be located at Jesse H. Jones Hall for the Performing Arts; approving and authorizing Professional Artist Services Agreement between the City and **CORE STUDIO, LLC, d/b/a CORE DESIGN STUDIO**; and de-accessioning a work of art known as the "Gazebo Roof" located in Root Square Memorial Park - **DISTRICT I - RODRIGUEZ**

21. Ordinance 2011-0877

ORDINANCE approving and authorizing sole source contract between the City of Houston and **NOVASYS TECHNOLOGIES, INC** for the Development and Maintenance of the Electronic Client-Level Integrated Prevention System for the City of Houston Health & Human Services Department; providing a maximum contract amount - 2 Years with two one-year options \$263,030.00 - Grant Fund

22. Ordinance 2011-0869

ORDINANCE approving and authorizing first amendment to Interlocal Purchasing Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY** for Cooperative Purchasing (Approved by Ordinance No. 2011-0457)

23. Ordinance 2011-0870

ORDINANCE awarding contract to **ENVIROWASTE SERVICES GROUP, INC** for Sewer Stoppage Cleaning and Television Inspection; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing a maximum contract amount for Envirowaste Services Group, Inc and engineering testing - 2 Years with a one-year option \$3,361,600.00 - Enterprise Fund

ORDINANCES - continued

24. Ordinance 2011-0871

ORDINANCE appropriating \$3,128,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Texas Avenue Lift Station Upgrade and Force Main Replacement; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

25. Ordinance 2011-0872

ORDINANCE appropriating \$2,569,164.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LLC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

26. Ordinance 2011-0873

ORDINANCE appropriating \$2,771,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SCOHIL CONSTRUCTION SERVICES, LLC** for Water Line Replacement in Watonga Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG and G - PENNINGTON**

27. Ordinance 2011-0854 – Passed second reading

ORDINANCE No. 2011-0854, passed first reading October 5, 2011

ORDINANCE granting to **JIANQI AN d/b/a GREENLAND WASTE COLLECTION, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 28 through 30

Motion 2011-0765 – Suspend rules to consider Item 28 after the consent agenda

Motion 2011-0771 – Written motion to amend Item 28 as follows:

“Sec. 30-16. (7) The sound was produced by operating and permitting the operation of any mechanically powered saw, drill, sander, router, grinder, lawn or garden tool, lawnmower, or any other similar device used between the hours 7:00 a.m. and 8:00 p.m., provided the device did not produce a sound exceeding 85 dB(A) when measured from the property line of the nearest residential property where the sound is being received and was used for the maintenance or upkeep of the property on which it was operated” - **Adopted**

MATTERS HELD - continued

28. Ordinance 2011-0874 – Adopt as amended

ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to noise and sound level regulation; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability - **TAGGED BY COUNCIL MEMBERS JONES, BRADFORD, RODRIGUEZ, GONZALEZ, NORIEGA, ADAMS, HOANG, STARDIG and PENNINGTON**

This was Item 5 on Agenda of October 5, 2011

29. Ordinance 2011-0878

ORDINANCE awarding sole source contract to **IDEA INTEGRATION dba IDEA** for Software and Hardware Technical Support and Maintenance Services for the City's Data Collection Mobile Unit for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$419,418.00 - Dedicated Drainage & Street Renewal Fund

TAGGED BY COUNCIL MEMBER JONES

This was Item 10 on Agenda of October 5, 2011

30. Ordinance 2011-0879

ORDINANCE amending Ordinance No. 2006-0975 to increase the maximum contract amount for contract between the City of Houston and **OIL PATCH-BRAZOS VALLEY, INC** for Fuel Transportation Services for Various Departments - \$240,000.00 - Fleet Management Fund

TAGGED BY COUNCIL MEMBER JONES and HOANG

This was Item 11 on Agenda of October 5, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gonzalez first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

10/11/2011 - Council Members Johnson, Costello and Lovell absent on personal business

10/12/2011 - Council Member Hoang absent due to being ill